

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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 FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

In the Matter of)
)
 Amendment of Section 73.202(b))
 Table of Allotments)
 FM Broadcast Stations)
 (Winslow, Camp Verde, Mayer and)
 Sun City West, Arizona))

MM Docket No. 99-246
 RM - 9593
 RM - 9770

To: Chief, Allocations Branch
 Policy & Rules Division
 Mass Media Bureau

SUPPLEMENT TO PETITION FOR PARTIAL RECONSIDERATION

Desert West Air Ranchers Corporation ("Desert West"), licensee of Station KFMR(FM), Winslow, Arizona, by its counsel, hereby submits a Supplement to its pending Petition for Partial Reconsideration based on a recent event. Desert West has filed a separate request to accept this Supplement. In support hereof, Desert West states as follows:

1. On July 10, 2000, Desert West filed for reconsideration based on the Commission's error in protecting a Class C allotment at Yuma, Arizona made 9 years ago for Station KTTI despite KTTI's unconditional statement in this proceeding that it had no intention of applying for the Class C allotment and despite its pending application to upgrade from a Class C3 to a Class C2 facility which was further evidence of its intention. The Commission's Report and Order, DA 00-1146, released May 26, 2000, ruled that Desert West's proposal to change its community of license to Sun City West was contingent on KTTI's application for a Class C2 upgrade. In the Petition for Partial Reconsideration, Desert West questioned how the FCC could have considered the filing of the Sun City West proposal as contingent on the KTTI application which was submitted seven (7) months after Desert West's proposal.

2. Desert West has adequately demonstrated that Sun City West deserves a first local service and that there was no technical or non-technical rule or policy reason for denying the proposal. Nevertheless, on August 21, 2000, the Commission granted KTTI's application for Class C2 facilities. In doing so, the Commission also amended the FM Table of Allotments effective immediately to delete Channel 236C from Yuma, Arizona and replace it with Channel 236C2. See p. 2 of the attached Construction Permit for KTTI, Exhibit 1.

3. The Commission clearly erred when it refused to modify Desert West's license for KFMR to Sun City West in favor of the warehousing of the Class C allotment for KTTI when it was clear that the higher class channel would not be used. There can no longer be any doubt about KTTI's status. The Commission should finally grant a first local service to Sun City West based on the arguments made in the Petition for Partial Reconsideration.

Respectfully submitted,

DESERT WEST AIR RANCHERS CORPORATION



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Its Counsel

September 12, 2000



United States of America
FEDERAL COMMUNICATIONS COMMISSION
FM BROADCAST STATION CONSTRUCTION PERMIT

Authorizing Official:

Official Mailing Address:

CAPSTAR TX LIMITED PARTNERSHIP
 600 CONGRESS AVENUE
 SUITE 1400
 AUSTIN TX 78701

James D. Bradshaw
 James D. Bradshaw

Assistant Chief
 Audio Services Division
 Mass Media Bureau

Facility ID: 62234

Call Sign: KTTI

Permit File Number: BPH-20000330ABJ

Grant Date: **AUG 21 2000**

This permit expires 3:00 a.m.
 local time, 36 months after the
 grant date specified above.

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

Commission rules which became effective on February 16, 1999, have a bearing on this construction permit. See Report & Order, Streamlining of Mass Media Applications, MM Docket No. 98-43, 13 FCC RCD 23056, Para. 77-90 (November 25, 1998); 63 Fed. Reg. 70039 (December 18, 1998). Pursuant to these rules, this construction permit will be subject to automatic forfeiture unless construction is complete and an application for license to cover is filed prior to expiration. See Section 73.3598.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of Permittee: CAPSTAR TX LIMITED PARTNERSHIP

Station Location: AZ-YUMA

Frequency (MHz): 95.1

Channel: 236

Class: C2

Hours of Operation: Unlimited

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Transmitter output power: As required to achieve authorized ERP.

Antenna type: (directional or non-directional): Non-Directional

Antenna Coordinates: North Latitude: 32 deg 38 min 31 sec

West Longitude: 114 deg 33 min 34 sec

	Horizontally Polarized Antenna	Vertically Polarized Antenna
Effective radiated power in the Horizontal Plane (kW):	50	50
Height of radiation center above ground (Meters):	75	75
Height of radiation center above mean sea level (Meters):	137	137
Height of radiation center above average terrain (Meters):	75	75

Antenna structure registration number: 1003622

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.
- 2 The allotment is automatically downgraded pursuant to the procedures established in the Report and Order in MM Docket 88-118, 4 FCC Rcd 2413 (1989). Accordingly, effective the grant date of this authorization, the FM Table of Allotments, 47 C. F. R. Section 73.202(b). IS AMENDED as follows:

Community	Channel No.
Yuma, AZ	Add 236C2; Delete 236C

Pursuant to Section 316(a) of the Communication Act of 1934, as amended, license BLH-4954 IS MODIFIED to specify operation on Channel 236C2 in lieu of Channel 236C3.

*** END OF AUTHORIZATION ***

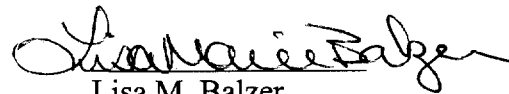
CERTIFICATE OF SERVICE

I, Lisa M. Balzer, a secretary in the law firm of Shook, Hardy and Bacon, do hereby certify that I have on this 12th day of September, 2000 caused to be mailed by first class mail, postage prepaid, copies of the foregoing **"SUPPLEMENT TO PETITION FOR PARTIAL RECONSIDERATION"** to the following:

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Lisa M. Balzer

* HAND DELIVERED